

IN THE CHANCERY COURT OF HAMILTON COUNTY, TENNESSEE

TAMMY E. PARKER,

Plaintiff,

vs.

MUTUAL OF OMAHA, and its affiliate,
UNITED OF OMAHA LIFE INSURANCE
COMPANY,

Defendants.

Docket No.: 10-0948

Part: _____

JURY DEMAND

COMPLAINT

Tammy E. Parker, through counsel, alleges as follows:

1. Plaintiff, Tammy E. Parker, is a resident of Chattanooga, Hamilton County, Tennessee.
2. Defendant, Mutual of Omaha, is an insurance company authorized to do business in Tennessee.
3. Defendant, United of Omaha Life Insurance Company, is an insurance company and an affiliate of Mutual of Omaha and was the issuer of the policies in question and is authorized to do business in Tennessee.
4. Ms. Parker was employed with the Chattanooga Housing Authority. Through her employment, she entered into policies with Mutual of Omaha under its affiliate United of Omaha Life Insurance Company, for both long-term disability benefits and for life insurance benefits.

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5. Pursuant to the terms of the life insurance policy, when Ms. Parker became "totally disabled" from working, the monthly premium for the life insurance was to have been waived.

6. Since October 31, 2008, Ms. Parker has been totally disabled from working and is entitled to the continuation of her long-term disability benefits and to the waiver of life insurance premium.

Wherefore, Plaintiff respectfully prays:

1. That all proper process issue, with a copy to be served upon the defendants, requiring an answer.

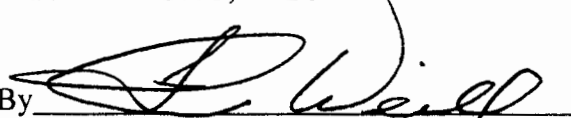
2. That at the hearing of this cause the Court enter judgment against Mutual of Omaha and United of Omaha Life Insurance Company for long-term disability benefits due, waiver of life insurance premiums, attorney's fees, punitive damages, together with interest and penalties.

3. That the Court grant such other, general, further relief as equity and justice demand.

4. That this cause be heard before a jury.

Respectfully submitted,

WEILL & LONG, PLLC

By 

Flossie Weill (BPR No. 004637)
Ira M. Long, Jr. (BPR No. 22411)
Attorneys for Plaintiff
1205 Tallan Building, Two Union Sq.
Chattanooga, TN 37402
Telephone: 423/756-5900
Facsimile: 423/756-5909

**STATE OF TENNESSEE
Department of Commerce and Insurance
500 James Robertson Parkway
Nashville, TN 37243-1131
PH - 615.532.5260, FX - 615.532.2788
brenda.meade@tn.gov**

November 22, 2010

Mutual Of Omaha Insurance Company
Mutual Of Omaha Plaza
Omaha, NE 68175
NAIC # 71412

Certified Mail
Return Receipt Requested
7009 3410 0002 1724 0286
Cashier # 6339

Re: Tammy E. Parker V. Mutual Of Omaha Insurance Company

Docket # 10-0948

To Whom It May Concern:

Pursuant to Tennessee Code Annotated § 56-2-504 or § 56-2-506, the Department of Commerce and Insurance was served November 17, 2010, on your behalf in connection with the above-styled proceeding. Documentation relating to the subject is herein enclosed.

Brenda C. Meade
Designated Agent
Service of Process

Enclosures

cc: Chancery Court Clerk
Hamilton County
201 East Seventh Street, Rm 300
Chattanooga, Tn 37402

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ORIGINAL 11-8-10
DO NOT RETURN TO CLERK WHEN SERVICE IS PERFECTED!

State of Tennessee
IN THE CHANCERY COURT FOR HAMILTON COUNTY

TAMMY E. PARKER

PLAINTIFF

vs.

DOCKET NO. 10-0948

MUTUAL OF OMAHA, and its affiliate,
UNITED OF OMAHA LIFE INSURANCE
COMPANY

DEFENDANTS

SUMMONS

TO DEFENDANT: (1) MUTUAL OF OMAHA (Policy No. GLTD365B)
Serve: Through Commissioner of Insurance (Claim No. 250803371801)
(2) UNITED OF OMAHA LIFE INSURANCE COMPANY (Policy No. GLUG-365B)
Serve: Through Commissioner of Insurance

You are summoned and required to Answer and make defense to a Complaint herewith served upon you. Your Answer to the Complaint must be filed and served upon plaintiff's attorney on or before thirty (30) days after service of this Summons and Complaint upon you, exclusive of the day of service. Your Answer must be filed in the OFFICE OF THE CLERK & MASTER, 300 Courthouse, 625 Georgia Avenue, Chattanooga, Tennessee 37402. You are also required to serve a copy of your Answer upon the plaintiff's attorney, or the *pro se* plaintiff as set out below. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

ISSUED & TESTED this 9th day of November, 2010.

S. LEE AKERS, CLERK & MASTER

By: Cherise Hudson
DEPUTY CLERK & MASTER

Flossie Weill, Esq. 004637
Plaintiff Attorney BPR#
or Plaintiff if no attorney (*pro se*)
1205 Tallan Building, 2 Union Square
Address
Chattanooga, TN 37402
423/756-5900 423/756-5909
Tel. NO. Fax NO.

NOTICE TO DEFENDANT(S)

Tennessee Code Annotated § 26-2-103 provides a \$4,000.00 personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk & Master. The list may be filed at any time and may be changed by you thereafter as necessary; however unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you, would have the right to recover them. If you do not understand your exemption right or how to lawyer.

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**STATE OF TENNESSEE
Department of Commerce and Insurance
500 James Robertson Parkway
Nashville, TN 37243-1131
PH - 615.532.5260, FX - 615.532.2788
brenda.meade@tn.gov**

November 22, 2010

United Of Omaha Life Ins Company
Mutual Of Omaha Plaza
Omaha, NE 68175
NAIC # 69868

Certified Mail
Return Receipt Requested
7009 3410 0002 1724 0293
Cashier # 6340

Re: Tammy E. Parker V. United Of Omaha Life Ins Company

Docket # 10-0948

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Brenda C. Meade
Designated Agent
Service of Process

Enclosures

cc: Chancery Court Clerk
Hamilton County
201 East Seventh Street, Rm 300
Chattanooga, Tn 37402

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11-08-16
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ISSUED & TESTED this 9th day of November, 2010.

S. LEE AKERS, CLERK & MASTER

By: *Debbie G. Hudson*
DEPUTY CLERK & MASTER

Flossie Weill, Esq.
Plaintiff Attorney
or Plaintiff if no attorney (*pro se*)

004637
BPR#

1205 Tallan Building, 2 Union Square
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